

DETAILED ACTION

Response to Arguments

Applicant's arguments filed 12/01/2008 have been fully considered but they are not persuasive.

In re page 5, line 13-17, Applicant argues regarding claim 8 that Wolff, Abdel-Mottaleb and Keery alone or in combination fail to suggest or disclose inputting index information of a still picture other than one currently being displayed.

In response the examiner respectfully disagrees. Wolff discloses navigation through photographs of the three tracks 105, 110 and 115 (Col. 7, line 53 -56). Wolff discloses inputting index information (selecting thumbnail of current track through scroll buttons 205 or 210) of a still picture (picture that is corresponding to thumbnail image selected is displayed in area 250, Fig. 2) other than the one currently being displayed (Col. 6, lines 52-67, mentions the system displaying selecting thumbnail images and displaying corresponding image in area 250).

In re page 7, lines 12-16, Applicant argues that Wolff, Abdel-Mottaleb and Keery alone or in combination fail to suggest or disclose reproducing the still picture and the corresponding audio stream in place of the one currently being played.

In response the examiner respectfully disagrees. Wolff discloses reproducing the still picture (if user selects new thumbnail image, Col. 7, lines 56-63), and the corresponding audio stream in place of the one currently being played(system plays the corresponding audio clip to selected thumbnail; Col. 7, line 56-63).

In re page 8 lines 16-20, Applicant argues regarding claim 1 that Chan, Wolff, Abdel-Mottaleb and Keery alone or in combination fail to disclose a controller outputting the target still picture stored in the second storage when index information of the target still picture is received from a user.

In response the examiner respectfully disagrees. Chan discloses a controller (**processor 100; 0037; 0042**) outputting (**video files are presented in order; 0037**) the target still picture stored (video files 6-1 to 6-N are indexes for video that may stored in a buffer 120 (Fig. 2; buffer is a region of memory) or Fig. 1, 400 must be input by a user through a remote control and played; 0032;0037) in the second storage (6-1 to 6-N are images that must be stored to be **played** back to a user) when index information (6-1 to 6-N or 7-1 to 7-N) of the target still picture is received from a user (one mode may present the contents of video files **6-1 to 6-N** one by one in order with the first or **selected file;0037**).

In re page 10 line 1-8, Applicant argues that Chan, Wolff, Abdel-Mottaleb and keery alone or in combination fail to suggest or disclose comparing the received index information with a maximum number of indexes included in a predetermined track of optical disk currently being played.

In response the examiner respectfully disagrees. Abdel-Mottaleb discloses comparing the received index information (Compare index key from query image with index keys from images being searched, Fig. 2, 208) with a maximum number of indexes (index key from images being searched are a maximum number of indexes, Fig. 2, 208) included in a predetermined track of optical disk currently being played (still

images can be stored on CD-ROMs which are optical disk, Col. 1 line 27. Other sources of images are possible , col. 6. lines 42-23, thus the given source of optical disk is an obvious option as mentioned in Col. 1, lines line 27. The images are stored in spiral tracks of these optical disks and the still images would have to be from a disk currently being played, Col. 7 lines 13-16).

For arguments on page 11 lines 12 to page 15 line 5, please see the rejection below.

Claim Rejections - 35 USC § 103

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. **Claims 1 - 6 are rejected under 35 U.S.C. 103(a) as being unpatentable over U.S Patent Pub. 2004/0001704 A1 to Chan et al. ("Chan") in view U.S. Patent 5,915,038 to Abdel-Mottaleb et al. "Abdel-Mottaleb" and in further view of U.S. Patent 5,832,170 to Keery et al. "Keery".**

As to claim 1 and 6, Chan discloses an apparatus for playing an optical disk, comprising: a first storage (Fig. 1, 300 or Fig. 2, 115) storing a predetermined audio stream read out from an optical disk (0039-0040;0005); a second storage (Fig. 2, 120 or Fig. 1, 400) storing a target still picture corresponding to the predetermined audio stream (0039-0040;0005); and a controller outputting the target still picture stored in the second storage when index

information (6-1 to 6-N or 7-1 to 7-N) of the target still picture is received from a user(Fig. 6)(0032)(0037), so that the second and first storages store the index information of the target still picture and the predetermined audio stream, corresponding to the index information of the target still picture, respectively (0005)(0037)(0041-0042).

Chan does not expressly disclose comparing the received index information with a maximum number of indexes included in a predetermined track of the optical disk currently being played and outputting a storage control signal based on the comparison result.

Abdel-Mottaleb discloses comparing the received index information with a maximum number (images being searched; Fig. 2, 204) of indexes included in a predetermined track of the optical disk currently being played and outputting a storage control signal (fetch and display, 32) based on the comparison result (Fig. 2; Col. 1, lines 24-32; Col. 5, lines 47-67; Col. 6 line 1-23;Col 7, line 51-67;Col. 13, lines 29-45)

At the time of invention, it would have been obvious to a person of ordinary skill in the art to combine Chan and Abdel-Mottaleb. Motivation would have been to provide a search operation in a reproducing device to output desired image to view on a display device.

Chan as modified does not explicitly discloses image data on tracks of the optical disk but outputting storage control signal but image data is stored in spiral tracks of optical disk and would have to provide storage control signal because it stores indexes of audio and video files to be played upon selection of an index i.e. 6-1 to 6-N values.

Keery discloses storing of image data on tracks of an optical disk (Col 5, lines 62-67; Col. 6, line 7-9) and outputting storage control signal (Col. 7, lines 26-33; computer output control signals for storage to the storages 18A to 18C)

At the time of invention, it would have been obvious to a person of ordinary skill in the art to combine Chan as modified with the teachings of Keery. Motivation to combine would have been Chan being silent about optical track and about outputting a storage control signal. While Keery is explicitly shows the details of the optical tracks and a storage control signal.

As to claim 2, Abdel-Mottaleb further discloses wherein the controller comprises a comparator comparing the index information of the target still picture with the maximum number of indexes included in the predetermined track and outputting the storage control signal when the index information of the target still picture has a value not larger than the maximum number of indexes included in the predetermined track (Fig. 2; Col. 1, lines 24-32; Col. 5, lines 47-67; Col. 6 line 1-23; Col. 7, line 51-67; Col. 13, lines 29-45)

At the time of invention, it would have been obvious to a person of ordinary skill in the art to combine Chan and Abdel-Mottaleb. Motivation would have been to provide a search operation in a reproducing device to output desired image to view on a display device.

As to claim 3, Chan discloses a method of playing an optical disk, comprising: outputting a still image designated by a predetermined index during a predetermined audio stream reproduced from an optical disk (0037); and

jumping from a current index to a predetermined index corresponding to the index information of the target still picture if the index information of the target still picture has a value not larger than the maximum number of indexes included in the predetermined track (0020)(0037).

Chan does not expressly disclose comparing index information of a target still picture with a maximum number of indexes included in a predetermined track of the optical disk currently playing when the index information of the target still picture is received from a user.

Chan does not expressly disclose comparing the received index information with a maximum number of indexes included in a predetermined track of the optical disk currently being played and outputting a storage control signal based on the comparison result.

Abdel-Mottaleb discloses comparing the received index information with a maximum number (images being searched; Fig. 2, 204) of indexes included in a predetermined track of the optical disk currently being played and outputting a storage control signal (fetch and display, 32) based on the comparison result (Figs. 2 and 10; Col. 1, lines 24-32; Col. 5, lines 47-67; Col. 6 line 1-23; Col. 7, line 51-67; Col. 13, lines 29-45)

At the time of invention, it would have been obvious to a person of ordinary skill in the art to combine Chan with the teachings of Abdel-Mottaleb. Motivation would have been to provide a search operation in a reproducing device to output desired image to view on a display device.

Abdel-Mottaleb does not expressly disclose image data on tracks of the optical disk and outputting storage control signal.

Keery discloses storing of image data on tracks of an optical disk (Col. 1, lines 7-22; Col 5, lines 62-67; Col. 6, lines 1-16) and outputting storage control signal (Col. 7, lines 26-33)

At the time of invention, it would have been obvious to a person of ordinary skill in the art to combine Chan as modified with the teachings of Keery. Rationale to combine would have been that all the claimed elements were known in the prior art and one skilled in the art could have combined the elements as claimed by known methods with no change in their respective functions, and combination would have yielded predictable results to one of ordinary skill in the art at the time of the invention.

As to claim 4, Chan further discloses wherein the jumping from a current index to a predetermined index corresponding to the index information of the target still picture comprises outputting the target still picture indicated by the predetermined index, and simultaneously reproducing an audio stream corresponding to playback time designated by the predetermined index (0003)(0020(0037)).

As to claim 5, Chan discloses a method of playing an optical disk in an optical disk player, comprising: inputting index information of a still picture other than one currently being played (Figs. 4 and 6)(0032)(0036)(0037); storing the read still picture (0021)(0040-0042); checking playback time designated by the index information and reading audio stream data corresponding to the playback time from the optical disk

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(0020)(0036-0037); storing the audio stream (0021)(0040-0042); and reproducing the still picture and the audio stream (0020).

Chan does not expressly disclose comparing the input index information with a maximum number of still pictures in a first track of the optical disk and reading a still picture from the optical disk, corresponding to the input index information if the input index is less than the maximum number of still pictures in the first track.

Chan does not expressly disclose comparing the received index information with a maximum number of indexes included in a predetermined track of the optical disk currently being played and outputting a storage control signal based on the comparison result.

Abdel-Mottaleb discloses comparing the input index information with a maximum number (images being searched, Fig. 2 , 204) of still pictures in a first track of the optical disk, corresponding to the input index information if the input index is less than the maximum number of still pictures in the first track. (Fig. 2; Col. 1, lines 24-32; Col. 5, lines 47-67; Col. 6 line 1-23;Col 7, line 51-67)

At the time of invention, it would have been obvious to a person of ordinary skill in the art to combine Chan and Abdel-Mottaleb. Motivation would have been to provide a search operation in a reproducing device to output desired image to view on a display device.

Abdel-Mottaleb discloses comparing the received index information with a maximum number (images being searched, Fig. 2 , 204) of indexes included in a predetermined track of the optical disk currently being played and outputting a storage

control signal (fetch and display, 32) based on the comparison result (Fig. 2; Col. 1, lines 24-32; Col. 5, lines 47-67; Col. 6 line 1-23; Col. 7, line 51-67)

At the time of invention, it would have been obvious to a person of ordinary skill in the art to combine Chan with the teaching of Abdel-Mottaleb. Motivation would have been to provide a search operation in a reproducing device to output desired image to view on a display device.

Abdel-Mottaleb does not expressly disclose image data on tracks of the optical disk and outputting storage control signal.

Keery discloses storing of image data on tracks of an optical disk (Col. 1, lines 7-22; Col. 5, lines 62-67; Col. 6, lines 1-16) and outputting storage control signal (Col. 7, lines 26-33)

At the time of invention, it would have been obvious to a person of ordinary skill in the art to combine Chan as modified with the teachings of Keery. Motivation to combine would have been Chan being silent about optical track and about outputting a storage control signal. While Keery is explicitly shows the details of the optical tracks and a storage control signal.

3. Claim 8 is rejected under 35 U.S.C. 103(a) as being unpatentable over U.S Patent 6,833,848 to Wolff in view U.S. Patent 5,915,038 to Abdel-Mottaleb et al. “Abdel-Mottaleb” and in further view of U.S. Patent 5,832,170 to Keery et al. “Keery”.

As to claim 8, Wolff discloses a method of playing an optical disk in an optical disk player (Col. 2, lines 53-65), the method comprising:

inputting index information of a still picture other than one currently being played (Col. 5, lines 52-67);

reproducing the still picture and the corresponding audio stream in place of the one currently being played (Fig. 2; Col. 7, lines 34-63)

checking playback time designated by the index information and reading audio stream data corresponding to the playback time from the optical disk (Col 3, lines 33-43; Col. 6, lines 17-29; Col. 7, lines 34-63; Col. 10, lines 25-43)

Wolff does not expressly disclose comparing the input index information with a maximum number of still pictures in a first track of the optical disk and reading a still picture from the optical disk, corresponding to the input index information if the input index is less than the maximum number of still pictures in the first track.

Abdel-Mottaleb discloses comparing the input index information with a maximum number (images being searched, Fig. 2 , 204) of still pictures in a first track of the optical disk, corresponding to the input index information if the input index is less than the maximum number of still pictures in the first track (Fig. 2; Col. 1, lines 24-32; Col. 5, lines 47-67; Col. 6 line 1-23; Col 7, line 51-67)

At the time of invention, it would have been obvious to a person of ordinary skill in the art to combine Wolff with the teaching of Abdel-Mottaleb. Motivation would have been to provide a search operation in a reproducing device to output desired image to view on a display device.

Chan as modified does not explicitly discloses image data on tracks of the optical disk but outputting storage control signal but image data is stored in spiral tracks

of optical disk and would have to provide storage control signal because it stores indexes of audio and video files to be played upon selection of an index i.e. 6-1 to 6-N values.

Keery discloses storing of image data on tracks of an optical disk (Col 5, lines 62-67; Col. 6, line 7-9) and outputting storage control signal (Col. 7, lines 26-33; computer output control signals for storage to the storages 18A to 18C)

At the time of invention, it would have been obvious to a person of ordinary skill in the art to combine Chan as modified with the teachings of Keery. Motivation to combine would have been Chan being silent about optical tracks and about outputting a storage control signal. While Keery is explicitly shows the details of the optical tracks and a storage control signal.

Conclusion

THIS ACTION IS MADE FINAL. Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to ASHER KHAN whose telephone number is (571)270-5203. The examiner can normally be reached on 9:00 AM to 5:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Marsha Banks- Harold can be reached on (571)272-7905. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

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